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PATENT APPLICATION

ATTORNEY DOCKET NO. 200314249-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Charles R. Weirauch

Serial No.: 10/632,575

Examiner: Handi, Nabil Z

Filing Date: 07/31/2003

Group Art Unit: 2627

Title: DATA MEDIA HAVING VARIABLE CONTROL FIELD IN DATA UNITS

COMMISSIONER FOR PATENTS
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REMARKS IN RESPONSE TO OFFICE ACTION

Sir:

REMARKS

No amendments have been made. Claims 1-8 remain in the application.
Reconsideration and reexamination is respectfully requested.

In the paper mailed 05/24/2006, claims 1-8 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Number 4,389,681 (Tanaka *et al.*). Applicant respectfully traverses.

In the paper mailed 05/24/2006, the examiner characterizes all claims as follows: "The claims are merely drawn to a data bit "control bit" specifying an action in a data medium. The claims read on a header data having address bits specifying a servo action. The claim also read on a sync data having sync bits specifying a synchronization signal."

The examiner has mischaracterized the claims. In each of the independent claims, there is a control bit in a data unit, and there is a separate control block having bits that specify the action of the control bit in the data unit. Nothing in the examiner's